

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

BOBBY BRIAN BROWNING §
VS. § CIVIL ACTION NO. 1:05cv488
NAPHCARE MEDICAL CONTRACTOR, ET §
AL.

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Bobby Brian Browning, a prisoner confined at the Jefferson County Correctional Facility, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against Naphcare Medical Contractor and Dr. Mathew McBee.

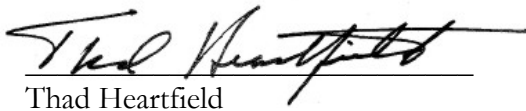
The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the case without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this the **16** day of **November, 2005**.


Thad Heartfield
United States District Judge